

IN SENATE OF THE UNITED STATES.

JANUARY 24, 1848.

Submitted, and ordered to be printed.

Mr. WESTCOTT made the following

REPORT:

The Committee of Claims, to whom was referred the petition of Don Carlos Buell, adjutant of the 3d regiment of infantry, report:

That it appears the petitioner is obliged, in the fulfilment of his military duties with the army in Mexico, to provide himself with a horse. The horse with which he supplied himself he values at \$500, and several officers of the army certify the valuation to be just. When Lieutenant Buell was ordered from Tampico to Vera Cruz in 1846, his horse was put by the United States Quartermaster, having charge of the transportation of the horses, on board a small vessel, and owing to which, and boisterous weather, without any fault of its owner, the horse became injured at sea and died, and the owner now asks to be paid \$500. The committee are unanimously of opinion that it would not be proper to allow the petitioner the sum he claims, as a horse of such high price was not necessary for the proper discharge of his duties; and if an officer wishes to indulge his taste and fancy in this manner, and in consequence incurs extraordinary loss, the United States is not bound, upon any just principle or rule of liberality, to indemnify him. A portion of the committee being disposed, however, to submit a report and bill allowing the petitioner the *maximum*, or at least the *average*, price paid for horses for the United States army in Mexico; the claim was submitted to the Quartermaster General, with a request to be informed as to these prices, and, also, the rules and principles regulating allowances to officers for horses lost in public service. The answer of the Quartermaster General, it is considered, should be published for reference in like cases if any be presented.

QUARTERMASTER GENERAL'S OFFICE,
Washington city, January 20, 1848.

SIR: I have received your letter of this day's date. The maximum allowed for dragoon and artillery horses at New Orleans is \$100; the average there is below that sum; and the average is con-

siderably below that sum at every other place of purchase. When on my way to Mexico, I purchased in New Orleans three horses for my own use—two at \$100 each, the other at \$75. I was compelled by my duties to separate from them at Brasos Santiago; during the separation one of them died from the effects of a storm. The public transports officers horses, but does not insure them; and never having heard of a single instance in which the horses of officers lost in being transported have been paid for, I have made no claim for the horse which I lost on my way to Vera Cruz, nor for nine other horses which I had lost in the course of my previous service. I have never known an instance in which an officer has been paid for a horse lost in any other manner than by being actually killed in action.

I return the petition and the draft of the bill; and I am, most respectfully, your obedient servant,

TH. S. JESUP,
Quartermaster General.

Hon. J. D. WESTCOTT,
Senate United States, Washington city.

This letter is regarded by the committee as conclusive against the allowance of any part of this claim, and they, therefore, recommend the adoption of the following resolution:

Resolved, That the claim of Don Carlos Buell should not be allowed.